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inside
Heartland

Intellectual Ammunition

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Potshots

Back to School Special!

Water is composed of two gins, Oxygen and Hydrogin. Oxygen is pure gin. Hydrogin is gin and water.

H₂O is hot water, and CO₂ is cold water.

Three kinds of blood vessels are arteries, vanes, and caterpillars.

Blood flows down one leg and up the other.

Dew is formed on leaves when the sun shines down on them and makes them perspire.

Mushrooms always grow in damp places, and so they look like umbrellas.

Rhubarb: a kind of celery gone bloodshot.

Vacuum: A large, empty space where the pope lives.

The body consists of three parts—the brainium, the borax, and the abominable cavity. The brainium contains the brain, the borax contains the heart and lungs, and the abominable cavity contains the bowels, of which there are five: a, e, i, o and u.

Quotes from 11-year-olds' science exams
Sent by Jack Koenig
Impact Voters of America

Managing Growth, Destroying Freedom

Joseph L. Bast

Several times each year for the past 23 years, I've driven from Chicago to Appleton, Wisconsin, and back again. I've seen the fields and woodlands along Highways 94 and 41 gradually replaced by office parks, shopping malls, and residential developments. Over the years, the change has been dramatic.

"Urban sprawl" worries some people. They say it will lead to a shortage of agricultural land, deplete the planet's limited supplies of fossil fuels, and load the air we breathe with hazardous pollutants. Others worry that sprawl reinforces social inequalities by separating jobs from workers and encouraging race- and income-based isolation. Still others think "sprawl" is compromising our quality of life by taking away the intimacy, social connectivity, and sense of social identity that come from living in compact neighborhoods.

Sprawl and the Environment

I have a difficult time taking seriously any of the concerns raised by the growth control crowd. What triggered my skepticism were the claims of environmental damage that so often accompany calls for growth management.

Urban expansion is, in fact, responsible for surprisingly little conversion of either forest or croplands into roads, houses, and parking lots. In 1945, according to the US Department of Agriculture, urban land uses accounted for just 1 percent of the area of the US. By 1992, that figure had risen to 3 percent. Forests covered 32 percent of the US in 1945 and a not-

much-smaller 30 percent in 1992. Cropland stayed unchanged at 24 percent.

Urban sprawl is not correlated with a decline in air quality. Air quality in nearly all major American cities has dramatically improved during the past twenty years, even as suburban "sprawl" boomed. Concentrations of all six of the air pollutants tracked by the Environmental Protection Agency (EPA) fell dramatically between 1975 and 1991: Dust and airborne ash fell by 24 percent; sulfur dioxide, by 50 percent; carbon monoxide, by 53 percent; ozone, by 25 percent; nitrogen dioxide, by 24 percent; and lead, by 94 percent.

Will the long commutes caused by sprawl lead to depletion of the world's petroleum supplies? Not in our lifetimes, and almost certainly not in our children's. During the past twenty years, estimates of oil reserves have increased nearly every year due to new discoveries and technological advances, even as we consume more gasoline with each passing year.

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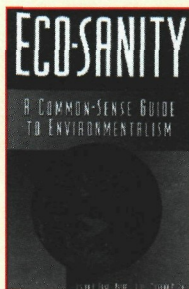
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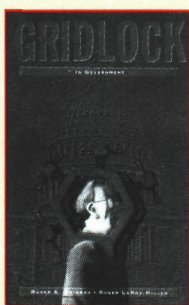
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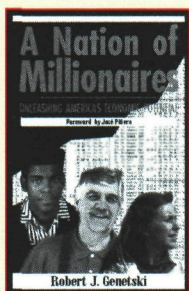
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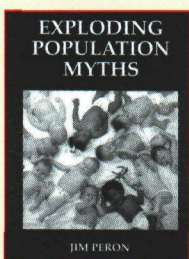
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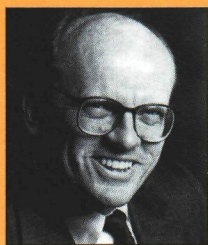
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News from the *Heartland*

by Dan Miller
Publisher

No publication that you receive is more aptly named than the one you're holding right now: *Intellectual Ammunition*.

For six years, this bimonthly magazine of The Heartland Institute has been providing 11,300 state legislators, elected state constitutional officers, members of Congress, and opinion-making journalists with the free-market firepower necessary to confront the toughest public-policy issues facing the nation. Each issue brings insight by the finest minds from America's top think-tanks to bear on issues such as crime, health care, education, and the environment.

I've admired and relied on *Intellectual Ammunition* in my various careers as a journalist, publisher, and appointed public official since it made its debut in 1992, and now I'm proud to say that beginning with this issue, I'm the publisher of *IA* as well.

Who is Dan Miller?

I'm a 53-year-old Chicagoan who has been involved with Heartland since its early days 14 years ago. At that time, I was editor of the nation's No. 1 regional business publication, *Crain's Chicago Business*, and I often looked to Heartland for insight, understanding, and analysis—or failing all that, just for a good argument on the issues of government involvement in the economy. I returned the

favor by serving on panels and making presentations at Heartland events.

Later, I was named vice-president of the parent Crain Communications Inc. and publisher of a national business newspaper for state and local government officials, *City & State*. When *IA* made its debut in 1992, it immediately helped me identify trends to cover in public service, informed my editorials, and provided intellectual ammunition for my public speeches.

City & State was sold to *Governing* magazine in 1994. Illinois Governor Jim Edgar was looking for a chairman of the state public-utilities commission. To my surprise, he named me to the post.

I served four years as chairman of the Illinois Commerce Commission (ICC), where I helped direct landmark deregulation of the state's electricity, telecommunications, and motor-carrier industries. That was the longest tenure of any chairman of the state's public-utility commission in more than 20 years . . . which says less about me and more about the durability of free-market ideas.

Tools for Political Survival

It was during my tenure at the ICC, that I found encouragement and insight from *Intellectual Ammunition's* writers, especially Murray Weidenbaum of the Center for the Study of American Business and columnists from the Reason Foundation. Like all *Intellectual Ammunition* writers, these thinkers were no ivory tower academics. They often were down in the trenches, engaging in hand-to-hand combat with the advocates of command-and-control regulation.

Having helped engineer the downsizing of the ICC to five members from seven and not seeking reappointment, I left the commission this summer. Heartland President Joseph Bast hired me as publisher of all Heartland communications, including *Environment News*, *School Reform News*, the members-only monthly *Heartlander*, and our various policy studies.

It's not often an average reader becomes publisher of one of his favorite publications. It happened this time, and I assure you, the best is yet to come from *Intellectual Ammunition*. Stay with us.

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Economic Development

Those who blame suburbs for luring industry and jobs away from cities, leaving behind many skilled but unemployed workers, have confused cause with effect. As cities grow, property values in their central business districts rise, prompting businesses that require large amounts of space—typically manufac-

Advocates of growth management ought to campaign for repeal of policies that unnecessarily restrict the supply and increase the price of housing.

turers—to leave, and companies requiring less space—typically service providers—to enter. The new companies are less likely to impose nuisances on their neighbors—noise, odors, and smoke—than the companies they replace. While the migration of manufacturers and other space-intensive employers from center city locations is inevitable, the net loss of jobs by cities is not. New employers will take the place of businesses that leave, provided adequate crime protection, quality schools, reliable transportation, and other basic requirements of urban living are met.

When suburban expansion harms low-income families, it is usually due to government policies that inflate the cost of housing in suburban areas, making it more difficult for low- and moderate-income families to relocate closer to the new suburban job markets. Many suburbs require large lot sizes, restrict the number of new developments, and act in other ways to prevent the construction of affordable and multiple-family homes. Rather than complain that the poor cannot travel to suburban jobs, advocates of growth management ought to campaign for the repeal of policies that unnecessarily restrict the supply and increase the price of housing.

Are Suburbs Inefficient?

It is a myth that the cost of providing infrastructure and services is significantly higher for low-density suburban development than for high-density urban locations. Randal O'Toole says empirical investigations consistently find that lower operating costs in the suburbs more

than offset the higher initial capital costs of installing new infrastructure. One study of public service costs per housing unit in 247 counties found that "above 250 people per square mile [about one house for every eight acres] costs increase with higher densities."

Some say automobile owners don't pay enough in taxes and other fees to cover the full cost they impose on society, and that ending that subsidy would slow urban expansion. But a careful study of taxes paid by road users in 1992 found total revenues of \$114 billion, while spending on roads that year (including law enforcement and administration) was just \$76 billion. The difference, some \$38 billion, was used to finance social services and other infrastructure needs.

Quality of Life

I lived in a small town for my first 18 years, then in Chicago for 16 years, and in a rather distant suburb of Chicago for the past six years. Reflecting on the benefits and disadvantages of all three locations, I find it impossible to say one is better than the other. Each, in fact, is best at delivering the quality of life most desired by those who choose it.

My life growing up in a small town could have come straight from a Norman Rockwell painting. In the mornings as I walked to school, I passed a steady stream of men carrying lunch buckets heading for a paper mill whose front gate was just two blocks from my home. Doors went unlocked and kids roamed the neighborhood almost unsupervised. During summer evenings we would play kick-the-can in the street under the branches of majestic elm trees while our parents sat on the front porch and talked with the neighbors.

At the age of 18 I decided work in a paper mill wasn't for me, so I headed for the Big City to attend college, get my first real job, and start a career in the think tank business. It may "take a village to raise a child," but it requires a city to give birth to a school such as The University of Chicago and an organization such as The Heartland Institute.

By the age of 34, I had grown to dislike the noise, crime, and grit of city living. Diane and I left the city to those young enough or old enough to sleep through the nighttime police sirens, car alarms, and mysterious loud noises (gun shots? cars backfiring? fireworks?). In suburbia we found peace, quiet, and access to amenities, such as tennis courts and walking paths, that we now value more than good restaurants and night clubs.

I am struck by how my lifestyle choices have determined the places I've lived, and how those places, in turn, have served the peculiar

needs of each lifestyle. Why, I wonder, would anyone want to deny people the same choices I was able to make?

Destroying Freedom

The growth management debate may sound arcane or of little interest to most people, but in fact it touches on an enormous range of public policies affecting virtually every aspect of our lives. Growth management policies aim to influence where we live and work, how we travel from place to place, whether elected officials or unelected bureaucrats will decide important planning issues, and the character of our local communities.

At the heart of the debate over growth management is not whether growth should be managed, but how it is managed and by whom. In most parts of the country, the path and nature of growth were traditionally left to the private sector. Individual home buyers, developers, and business executives drove most decisions about where new neighborhoods

My lifestyle choices have determined the places I've lived. Why would anyone want to deny people the same choices I was able to make?

would be born and where a business would be located. Elected local officials participated in the process by using zoning powers, their control over public infrastructure, and their power of eminent domain.

We should not assume that giving government more authority or resources is the solution to whatever problems are produced by urban growth and expansion. Indeed, the problems often attributed to unplanned growth are more often the result of prevailing government policies that distort market processes that would otherwise lead to win-win solutions.



Joseph L. Bast is president of The Heartland Institute.



Crime

Morgan O. Reynolds

Morgan O. Reynolds is director of the Criminal Justice Center at the National Center for Policy Analysis.

The Feds and Rational Prison Policies



Available on **PolicyFax**

Private Prison-Industry Enterprises

Private prison industries are a cost-effective way to reduce recidivism and ease prison budgets. (Wisconsin Policy Research Institute, May 1998)

Call 312/377-3000

Request documents #1375410 (part 1, 14 pp.)
and #1375411 (part 2, 13 pp.)

Recently there has been good news and bad news for federal prison policies. First, the bad news: State and local lockups are subject to the Americans with Disabilities Act (ADA). When President Bush signed the ADA into law eight years ago, Sen. Bill Armstrong (R-Colorado) warned that it would "engender wave upon wave of court rulings" that would "extend the bill far beyond its original purpose."

That prediction is coming true:

- The Supreme Court recently ruled that a Pennsylvania state prisoner with high blood pressure could not be excluded from a "Motivational Boot Camp"—thus allowing him an early release.
- As the result of another case, state prisons must enlarge prison cells to provide a larger turning radius for wheelchair users.
- Moreover, the ADA permits the federal government, once again, to usurp one of the states' core functions—law enforcement. It gives prisoners another platform from which to sue corrections officials for any violations of their "rights."

The courts cannot be faulted, given the language of the law—which prohibits any "public entity" from discriminating against a "qualified individual with a disability" on account of that individual's disability. But Congress can be faulted for failing to exempt prisons and their inmates from ADA mandates and litigation.

That's the bad news. Now the good news, modest though it may seem today.

Congressman Bill McCollum (R-Florida) has introduced the Free Market Prison Industries Reform Act of 1998, to accomplish two main objectives:

- Repeal the federal ban on interstate transport of prisoner-made products; and
- Gradually switch Federal Prison Industries from the current socialist model to private-sector production.

The first reform removes a central barrier to selling prisoner-made goods on the open market, thus enabling states to use private industry to create more jobs for prisoners. The second reform would privatize the federal prison industry.

Today, almost 2 million inmates are "in stir," "doing time." Outside prison walls, it's called loitering. Taxpayers pick up the tab because so few prisoners provide their own keep through paying, productive jobs.

Our current policy is the height of folly. A new study of inmate labor from the American Bar Association shows that "loitering" is getting worse. The nation's inmate population is growing so rapidly that the share of state and federal prisoners with

jobs has shrunk from 7.6 percent to 6.5 percent since 1990.

Old-style prison industry is based on monopoly sales to other government bureaus: license plates, highway signs, and office furniture. But government buys only so many license plates. In the future, the private sector must provide the bulk of prison jobs, producing goods for the open market.

Prison wardens (or their business-friendly surrogates) should be marketers of prison labor, rather than uncompetitive producers of shoddy goods. Private enterprise should be allowed and indeed encouraged to compete for prison labor, to pay wages in accord with productivity, and to build industrial parks next to prisons. That would produce fair competition between prison labor and employees on the outside.

*Employment before release
not only improves behavior
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recidivism after release.*

Study after study finds that employment before release not only improves behavior behind bars, but serves as the strongest antidote to recidivism after release. Fred Braun, a Kansas businessman who has employed prisoners for 20 years, jokingly says, "If we can turn more ex-convicts into taxpayers, that's punishment enough."

To its credit, McCollum's bill includes no minimum or prevailing wage regulations, which kill private-sector jobs. A few defects do lurk in the bill, though.

- It provides for fees to be paid to the state's Attorney General, rather than market-style, gross wages paid in full to the productive inmate, subject to 80-percent-type deductions for room and board.

- It gives federal prison officials a full decade to privatize the 25,000 federal prison jobs. That's an awful long time to dither. As Ed Hudgins of the Cato Institute points out, the former Soviet republic of Estonia converted its entire society from socialism to capitalism within three years. Pressure to privatize must be real and immense, not illusory and drawn out.

Despite those shortcomings, McCollum's bill is radical and wonderful. Let's harness the wonders of voluntary, ethical cooperation—in this case, private employment—for mutually productive gain and to make a key step in rationalizing our criminal justice policies.

In 1983, the National Commission on Excellence in Education warned that "the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and a people." After meeting earlier this year to discuss the state of American education and recommend reforms, a number of the nation's most prominent education reformers, business leaders, and policy makers issued an education manifesto declaring that the US was *A Nation Still At Risk*.

"The evidence suggests that, compared to the rest of the industrialized world, our students lag seriously in critical subjects vital to our future," lament the manifesto's authors, who brand the situation "a national shame." Without a solid education, they warn, a young person today "is doomed to a bleak future."

The indicators of educational inadequacy are manifold. While more high school students today are enrolled in challenging academic courses, overall student achievement is essentially unchanged from 1983 levels. Although college attendance is up, college remediation

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rates have soared, and 30 percent of incoming college freshmen require remedial courses in reading, writing, and mathematics.

In the recent Third International Math and Science Study, US twelfth-graders ranked 19th out of 21 nations in mathematics and 16th out of 21 in science. America's "best" students—those taking physics and advanced math courses—fared even worse, with US students scoring last in physics and next to last in advanced math.

Our failure to improve educational achievement over the past 15 years cannot be blamed on a lack of information about what it takes to provide a good education. We know what works. But in 1983, the National Commission on Excellence in Education assumed that the public school monopoly "had the capacity and the will to change." Today, the authors of *A Nation Still at Risk* have concluded "this was not true." Unwilling to reform itself, public education will have to be reformed from the outside, by a shift of power away from the system to parents.

Those reform efforts should be focused on two strategies: first, standards, assessments, and accountability; and, second, plu-

ralism, competition, and choice. The manifesto offers four principles to guide reform efforts:

- Redefine "public school" to mean any school open to the public, paid for by public funds, and accountable to public authorities for results.
- Expect excellence of all students and demand high standards for all teachers and all schools.
- Give every family the opportunity to choose where its children go to school.
- Provide consumer information about school quality, teacher qualifications, and student performance, based on high standards of academic achievement.

Ten breakthrough proposals are offered in *A Nation Still at Risk* as ways to transform American public education for the 21st century.

1. Establish national academic standards and voluntary standards-based assessments.
2. Abolish the present authoritarian public education system, with school assignment based on address, and instead allow public dollars to follow children to the schools they select.
3. Pass strong charter school laws in every state.
4. Increase the supply of excellent schools by welcoming more players into public education through contracting with private enterprises and private practice teachers.
5. Protect pupils from harm by eschewing the use of classroom methods that have been proven not to work.
6. Require teachers to know their subjects well by having them pass a rigorous test of subject-matter knowledge, and also expect teachers to demonstrate that they can convey what they know to children.
7. Establish alternative teacher certification procedures and abolish certification altogether for schools that are held accountable for results.

8. Pay teachers for their performance, with sharply higher salaries for great educators, and no jobs at all for those who cannot teach well.

9. Avoid "mission creep" and focus available resources on learning in orderly and disciplined classrooms.

10. Encourage parents to do their part—such as reading to their children and helping with homework—so that schools can concentrate on conveying academic knowledge and skills.

"We must never again assume that the education system will respond to good advice," declare the manifesto's authors. The ten reforms proposed above will not come from within the system itself; things "will change only when all parents gain the power to decide where their children go to school." 

Education

George Clowes

George Clowes is managing editor of *School Reform News*, a monthly newspaper published by The Heartland Institute.

After 15 Years, Nation Is Still at Risk



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Teachers and School Choice

Educational choice would stimulate demand for teachers and improve the teaching environment, improving the economic and professional status of teachers. (Hudson Institute, *American Outlook*, Spring 1998, 3 pp.)

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Request document #2184146

Environment

Jonathan H. Adler

Jonathan H. Adler is director of environmental studies at the Competitive Enterprise Institute.

More Specious Species Claims



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The ESA's Dismal Record

Twenty-seven species have been delisted, and another twenty downlisted. Which species were involved, and why? (Competitive Enterprise Institute, 1997, 9 pp.)

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Request document #2321307

On May 5, Interior Secretary Bruce Babbitt announced that 34 species would soon be removed from the endangered and threatened lists. The planned delistings, Babbitt proclaimed, were conclusive evidence that "the Endangered Species Act works. Period." But Babbitt spoke too soon.

For years critics of the Endangered Species Act (ESA) have noted how it imposes draconian burdens on landowners without helping wildlife. Babbitt's announcement was intended to respond to those criticisms and put the ESA in a different light.

Babbitt is seeking to defend the ESA's regulatory restrictions on private land use against proposals to adopt an incentive-based, non-regulatory approach to species conservation. Yet when one looks closely at the proposed delistings, one realizes that the latest ESA success stories are as specious as the rest.

No Success Story Here

Well over 1,000 species have been declared threatened or endangered since the ESA was enacted in 1973. Since then, only 27 species have been removed from the list—27 out of over 1,000. Yet of the 27, seven were delisted because they went extinct. The Interior Department acknowledges that an additional nine were "data errors" and never should have been listed in the first place. The remaining eleven are officially listed as recoveries, yet the ESA cannot be credited with saving a single one. Those species either never deserved to be listed as endangered or threatened, or they recovered due to factors beyond the ESA's control. In some 25 years, the ESA has failed to recover a single species.

Delisting the additional 34 species that Babbitt highlighted will do little to improve upon the ESA's dismal record. Indeed, none of those 34 species is any more of a testament to the ESA's success than the 27 already delisted. Five of these species, including three species of Oahu tree snails, have gone extinct. Twelve more, including the Hawaiian hawk and Dismal Swamp southeastern shrew, are "data errors" that should never have been put on the list in the first place. (Listing species that don't need the federal government's protection seems to be a habit at the Fish and Wildlife Service.) Another one of the species, the Pahrump poolfish, was truly at risk, but it is not eligible to be delisted. The federal government has done nothing to restore its historic habitat.

Of the remaining 16, not one owes its good fortune to the ESA's land-use controls. Three bird species—the American peregrine falcon, the brown pelican, and the bald eagle—have recovered largely due to the banning of the pesticide DDT. But DDT was banned in 1972, a full year before the ESA was enacted by Congress. Restrictions on hunting and captive breeding aided the birds' recovery as well. The federal government may wish to take credit for helping

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those species, but Babbitt cannot claim credit for the ESA.

Another eight of the 34 species are plants, to which the ESA's land-use controls do not apply. Moreover, most of those species were conserved on federal lands, something for which the ESA should be unnecessary. One, the Loch Lomond coyote thistle, was saved by state efforts to purchase habitat. Again, the federal land-use controls that Babbitt wishes to defend can take no credit.

Conservation, Not Regulation

The remaining five species on Babbitt's list did not require the ESA's punitive land-use controls either. They were helped by more traditional conservation techniques, such as limits on hunting and the purchase, as opposed to regulation, of critical habitat. The Aleutian Canada goose, for instance, was primarily helped by fox eradication. Two species, the Island night lizard and the Ash Meadows Amargosa pupfish, live solely on federal lands. Helping the Columbian white-tailed deer required little more than closing the hunting season, and gray wolf restoration has proceeded without telling private property owners how to use their land.

For the past six years, private property advocates have called for an ESA that eschews federal land-use controls on private land in the pursuit of species conservation. ESA apologists have proclaimed that such a law would not protect endangered species. Yet given the ESA's abysmal record, a non-regulatory ESA could not do any worse.

The State Children's Health Insurance Program is popularly known as "KidCare." But it's far from being a benign program for children. Rather, KidCare is an attempt to bring the middle class into the federal health care system, and to further the goal of nationalized health care. The Clinton Health Care Task Force documents testified as much: "... health care reform is phased in by population, beginning with children. ... Kids First is really a precursor to the new system."

The ambitious Clinton Health Security Act was defeated, of course, but its provisions are slowly being enacted, in parts. In 1996, the Health Insurance Portability and Accountability Act, which authorizes unlimited federal tracking of citizens through their medical records, was passed with only two dissenters in Congress. One year later, KidCare—the largest expansion in government-supervised health care services in 30 years—was enacted. Millions of dollars (\$854 million for California alone) are available to states that participate. This "free money" comes at a high price to states and individuals.

*"Health care reform
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State legislators who have enacted KidCare have, in a Faustian bargain, allowed federal agencies to usurp their legislative authority over a state program in exchange for money—money over which they have little control. Once they receive the funds, legislators are beholden to the demands of the Department of Health and Human Services.

Before receiving the "gift" of federal money, legislators and citizens ought to consider the following list of ten conditions that come with it.

- **Federal Control over State Programs.** Proposed amendments, changes, or limitations to a state KidCare law must be approved by DHHS.

- **Restriction on Private Payments for Medical Care.** Under Medicare, HHS decides what treatment is covered—and effectively prohibits private contracts between patients and doctors. HHS has the final say, and patients cannot pay for services out of their own pocket, even if they want to. Court rulings have upheld such prohibitions, and the same

draconian measure could apply to children enrolled in KidCare.

- **Medicaid Extended to the Middle Class.** Enrollment is for children and families above the Medicaid eligibility guidelines—up to 200 percent more than federal poverty guidelines. Minnesota's expanded Medicaid program extends the safety net even more, to 275 percent, or \$44,000 for a family of four.

- **More Tracking of Personal Information.** States must report annually to the federal government their progress in identifying and enrolling children. Once the uninsured children are identified, they must be encouraged to enroll in Medicaid or the KidCare program, depending on family income. These requirements will encourage the creation of child tracking and parental income information systems.

- **Forced Medicaid Enrollment.** All children applying for the program must be enrolled in Medicaid if they qualify, even if a parent prefers KidCare.

- **Targeted Enrollment and No Verification.** Enrollment centers will be established in child care centers, Head Start centers, schools, and other locations where children are found. Children and families who are presumed eligible can be enrolled without verification. Ten percent of the federal funds can be used for outreach, and marketing.

- **Managed Care.** All recipients must be enrolled in programs with "utilization controls." Managed care controls, such as determinations of medical necessity and procedural guidebooks, will delay or deny medical treatment for children and families. HMO coverage does not guarantee access to care.

- **Public Money, Private Enrichment.** Capitated payments are made to a select group of HMOs, which can then decide how they will spend—or not spend—the taxpayers' money. Legislative authority and accountability for taxpayer funds is limited. The result is that HMOs build their own power and wealth at public expense. As an example, Minnesota's HMOs netted \$26.8 million in 1995 from public programs alone.

- **States Must Create New Databases.** States must report to HHS their progress toward complete immunizations, well-baby care, and well-child care.

- **Federal Access to Sensitive Records.** Each state must maintain records and collect data as required, including age of children and family income. States must assure federal access to all records for review or audit, including patient medical records.

It is readily apparent that delivering improved health care to children is not the primary focus of KidCare. Its goal is nothing less than a national health care system—a goal Americans have already considered and rejected.

Health Care

Twila Brase, RN, PHN

Public health nurse Twila Brase is president of Citizens for Choice in Health Care.

KidCare: A Costly "Free" Program



Available on **PolicyFax**

**Are American Children
Being Lured into Socialized Medicine?**

There is no crisis in children's health care, and the proposed "solution" will cause more problems than it solves. (Institute for Health Freedom, June 1998, 23 pp.)

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Request document #3213403

Law

William Mellor

William Mellor is president of the Washington, D.C.-based Institute for Justice.

Meet a Modern-Day Untouchable



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Paycheck Protection Guide: Introduction

A primer on the issue of paycheck protection. (Americans for Tax Reform, April 1998, 4 pp.)

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Mike Malone and Bob Williams aren't household names. But they should be.

Each an accountant-turned-sleuth, they undertook painstaking work to bring to justice powerful organizations that disregarded our nation's laws. Malone had the awesome power of government behind his efforts; for Williams, the fight for justice is nearly a one-man quest.

Mike Malone is the IRS agent who brought down Al Capone's violent and corruptive reign. Even more sensational than his celluloid likeness in the 1987 film "The Untouchables," Malone personally infiltrated Capone's organization, gained access to the empire's financial records, and ultimately uncovered the facts that dismantled Capone's syndicate.

Bob Williams' story hasn't made headlines yet, but he will be known as the man who caught red-handed today's most potent political force—the National Education Association—as it willfully violated campaign finance reform and paycheck protection laws. Williams, a former government auditor and CPA, heads up the Evergreen Freedom Foundation, an Olympia, Washington-based think tank.

Williams' legend begins in November 1992, when Washington State voters passed with 72.9 percent of the vote "Initiative 134," a campaign finance reform initiative. The measure required the annual consent of union members before money could be deducted from their paychecks and used for political purposes. Following its passage, employees consenting to the Washington Education Association's (WEA) payroll deduction for political activities fell from 48,000 to 6,921.

But the WEA faced a hotly contested governor's race, a wide-open contest for Superintendent of Public Instruction, a struggle to maintain a one-vote Democratic majority in the state Senate, and other key statewide and federal elections. The union disregarded the popular demand for clean elections and went about business as usual.

The WEA budgeted more than \$1.5 million for its "Campaign '96," more than a quarter of which was funded by the NEA and most of which was kept under the table. Through the state's Public Disclosure Commission, Williams poured over tens of thousands of papers detailing the WEA's campaign records. Among his discoveries:

- During the 1996 election cycle, the NEA laundered more than \$400,000 in illegal campaign contributions through the WEA.
- To help defeat two education reform initiatives that would have created tax-funded school vouchers and public charter schools, the NEA sent to Washington and secretly paid Kristeen Hanselman, its Director of Constituent Group Relations and one of its highest-paid executives.

- Since 1994, the WEA has illegally raised more than \$700,000 per year from teacher dues through mandatory paycheck deductions.

- WEA Executive Director James Seibert made more than 100 false public disclosure statements concerning the union's involvement with campaigns.

Williams' discoveries proved a political bombshell. In February 1997, Washington Attorney General Christine Gregoire, a Democrat, filed suit against the union for the largest case of campaign finance law violations in state history.

After months of legal battling and public outcry, the union finally "agreed with the facts alleged" by the Attorney General. But before it did so, it undertook a campaign of intimidation against Williams. The WEA published the names of EFF's board members in its October 1997 newsletter, reaching 65,000 public school teachers and employees throughout the state. Commentary encouraged readers to regard EFF board members as "enemies of public education."

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as the man who caught red-
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In February of this year, Attorney General Gregoire settled the case. The settlement included an \$80,000 penalty, \$20,000 in investigation costs, and a \$5 per teacher refund—\$330,000 total. Union officials themselves escaped with no penalty. Teachers—the victims of their union officials' political exploitation—will have to pay the fines, and will have to refund themselves. New "guidelines" offered in the settlement allow unions to contribute to candidates and campaigns using members' compulsory union dues without obtaining their permission.

The gutsy Williams and his organization have not backed down. Concerned that the state would not fully prosecute the union's violations, EFF and teachers together filed suit against the WEA in June 1997. Today, that suit is the only barrier to the settlement's implementation and the continuation of the union's strong-armed tactics.

With the state's complicity, the NEA and WEA share the title of "Untouchable" for this round. But if history is any indication of how such battles between bullies and those concerned with justice conclude, smart money should be on Williams.



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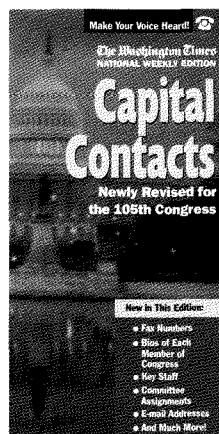
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Privatization

Adrian Moore & Wade Hudson

Adrian Moore is director of economic studies, and Wade Hudson is a policy analyst, for the Reason Public Policy Institute.

Partnerships in Recreation and Tourism



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Overcoming the Obstacles to Privatization
Opposition to privatization can be overcome, but doing so requires strategy and a solid understanding of who the opponents are. (The Commonwealth Foundation, *Commonwealth Conversations*, April 1997, 8 pp.)

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Request document #6502401

Outsourcing and public-private partnerships for state tourism functions are an emerging area of privatization policy. With tourism a key part of many state economies, opportunities to improve services without expanding the budget are not to be missed. This reality helped propel the issue to prominence on the agenda of this year's national meeting of the Lieutenant Governors Association. More significant, though, is a groundbreaking partnership in the state of Iowa that may soon see many imitators.

Faced with an aging rest area along its Minnesota border, Iowa's Department of Transportation (DOT) and the Department of Economic Development's Division of Tourism sought ways to remedy the situation. Tourism is the third largest industry in Iowa, critical to the local and state economy. It was imperative that the facility in question—expected to serve upwards of 600,000 travelers this year alone—make as positive an impression as possible on tourists entering the state.

The Department of Transportation's initial review determined that it would cost approximately \$4 million to upgrade the current rest area, or \$6.5 million for a new facility—a costly endeavor either way.

That was when the "Top of Iowa Welcome Center," a local nonprofit corporation, stepped in. Its proposal was simple: more and better services for \$2.5 million at a new site with lower annual operating costs.

The group's plan called for the consolidation of the current rest area (which had facilities on both sides of the freeway) and the addition of a welcome center for tourists. By moving the facility off the highway, just off a pre-existing exchange, it was able to greatly reduce costs by avoiding the mandates of the Davis-Bacon Act.

The nonprofit corporation managed the entire project on behalf of the DOT and Division of Tourism. It handled everything from the hiring of architects through the construction, and it manages the facility, which opened in June. The group worked closely with private organizations interested in setting up business in the new center, getting feedback on the overall design and layout of the facility. This resulted in a more attractive and efficient site plan, enhancing the site's commercial appeal.

The agreement between the state agencies and the nonprofit provides for a thirty-year management contract. In addition, the nonprofit retains possession of excess real estate the state had purchased. The nonprofit is allowed to sell or lease this land to help offset its construction and operational costs.

Looking to the future, the nonprofit installed water/sewer infrastructure for commercial and industrial development, with the hopes that businesses would begin to locate in the vicinity of the new facility. The group projected it would take two years after the site's completion before any business would show interest. There already has been so much interest and demand for the location, however, that one business has committed to locating near the facility, and several other commitments are pending. A consortium of farmer-owned cooperatives has purchased 19 acres and is creating a farm-theme development around the welcome center.

The county benefits from the project through increased sales and property taxes, and employment opportunities for its residents. The county is also excited about having a greater range of stores and businesses in the community, greatly reducing travel time for many residents seeking shopping opportunities within the county.

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To date, agencies in several other states have contacted the Iowa DOT about the project. There have been no complaints about moving the rest area off the freeway, and between 75 and 80 percent of rest area visitors visit the welcome center/gift shop. In addition to rave reviews from the public, sales in the gift shop are running three to four times their projected levels and many feel that it is the "finest rest area they have ever seen."

The new facility does have its detractors, primarily the owners and operators of truck stops along the state's freeways. Fearing that the new facility will draw away some of their customers, several truck stop owners banded together to lobby the legislature to freeze the development of similar sites until further research can be done on their economic impact.

It is likely, however, that the success of the facility will help legislators realize the substantial benefits of this project and allow other areas of the state to engage in similar projects.



One widely held illusion is that the United States is an island of free trade in a world of protectionism. It is true that every recent president, Republican and Democratic, has advocated more open international commerce. Over the years, the United States has reduced the rates on most tariffs and eliminated quantitative restrictions on a number of products, such as shoes, that can be imported into the United States.

However, most other nations have also reduced tariff rates and selective trade barriers in recent years, some to a greater extent than we have. However, no nation, including the United States, has followed the practice of truly free trade. Those of us who have been involved in international negotiations can quickly recall how well-versed the representatives of other nations are in their knowledge of US barriers to the products of other countries.

How the US Regulates Trade

Five major types of regulations and other obstacles inhibit imports into the United States. The first category consists of statutes that restrict the import of certain agricultural and manufactured products. Some of the annual limits are very specific. Jamaica is restricted to exporting 621,149 gloves and mittens, the Philippines to 7,882,316 brassieres, and Pakistan to 4,391,160 pillow cases. Quotas on agricultural imports cover wheat, peanuts, cotton, and sugar.

A second category of barriers to imports are "Buy American" regulations. Federal agencies purchasing commodities for use in the United States can buy domestically produced civilian goods even if they are as much as 6 percent more costly than foreign goods. For domestically produced military goods, the amount is 50 percent. American flag vessels must be used to transport at least 50 percent of the gross tonnage of all commodities financed with US foreign aid funds. In addition, the Surface Transportation Assistance Act requires that, for most government purchases over \$500,000, American materials and products be used.

A third and related regulation of international commerce is the Jones Act, which requires all oceangoing shipments from one point in the United States to another to be transported in US flag vessels. This law effectively bars foreign competition in US domestic marine transport. The perverse effects are

great. Residents of the "lower 48" states wanting to take a cruise to Alaska wind up driving to Vancouver, Canada to pick up a ship to Juneau or Anchorage because ship owners want to avoid the high labor costs mandated by other federal regulations.

Selective high tariffs constitute yet another category of government obstacles to international trade. Despite low average duties (a little less than 5 percent), some individual US tariffs are quite high. Silk and wool-blend fabrics face a 38 percent duty, three times the rate in Western Europe. Importers of soccer uniforms and footwear pay a 35 percent tariff, as do importers of garlic and dried onions.

A fifth category of trade barriers is the array of state and local building codes. Government authorities typically enact the standards drawn up by private building associations. This opens the way for imposing discriminatory rules favorable to local industry. Ceramic tile provides a good example. After Japanese

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truly free trade.*

imports gained a substantial share of the US market, many building codes were revised to screen out imported wall tile by requiring a thickness of 1/4 inch. That rule disallowed tile produced in Japan and in Europe, which has a standard thickness of 5/32 inch.

Ironically, the United States also maintains special regulatory restrictions on its own exports. Under the Federal Insecticide, Fungicide, and Rodenticide Act, exporters of products deemed hazardous in the United States must notify the importing country 30 days in advance of shipment even if the item is not viewed as hazardous under the laws of the importing country. The importing nation must notify the exporter that the notice was received. No other country has such a restriction.

We may support free trade in theory, but the United States is hardly free of protectionism.

Regulation

Murray Weidenbaum

Murray Weidenbaum is chairman of the Center for the Study of American Business.

Regulation of International Commerce



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Unfair Trade Barriers:

Home-Grown Trade Restrictions

US politicians preach free trade, but the country has serious trade barriers of its own. (Citizens for a Sound Economy, Analysis, 1994, 6 pp.)

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Request document #1980403

Taxes

Bill Ahern

Bill Ahern is Communications Director
for the Tax Foundation.

The federal tax burden falls much more heavily on some states than others, according to a Tax Foundation *Special Report* titled "The 1998 Federal Tax Burden by State." In addition to estimating the federal tax burden in each state for fiscal years 1998 and 1999, economists Patrick Fleenor and Scott Moody compare 1997 federal tax burden by state with an adjusted set of the Census Bureau's 1997 data on federal expenditures by state. The result is a ranking of the 50 states in order of which got the best deal from Uncle Sam's tax and spending policies.

During FY 1997, the federal tax burden nationwide was \$5,820 per capita. However, taxpayers in some states paid more or less due to their states' different economies, and they received more or less in federal benefits depending on the economic and demographic profiles of their states.

This disparity in state payments and benefits changes substantially over the years. West Virginia has improved its position the most over the past decade, having received \$1.61 per dollar paid in 1997 compared with \$1.24

ten years earlier. Louisiana, Kentucky, and Rhode Island also dramatically increased their ratio of benefits received to taxes paid. On the other hand, Utah's ratio has declined from \$1.47 to \$1.01. Nevada and Colorado also saw their ratios drop.

In FY 1997, taxpayers in New Mexico got the best deal from Uncle Sam. They received \$1.89 in federal outlays for every \$1.00 paid in federal taxes, in effect almost doubling their money. Other big winners were North Dakota, West Virginia, Mississippi, and Montana. If it were a state, the District of Columbia would be by far the biggest winner. In 1997 it received \$6.17 in federal outlays for every dollar it sent to the US treasury.

At the other end of the spectrum are states that did not find themselves the recipients of federal largesse, despite having paid, in many cases, hefty federal taxes. Connecticut's taxpayers received only 67 cents in federal benefits for every dollar they sent to Washington. Other states getting the short end of the stick were New Jersey, Nevada, Illinois, and New Hampshire.

Federal Spending Benefits Some States, Hurts Others



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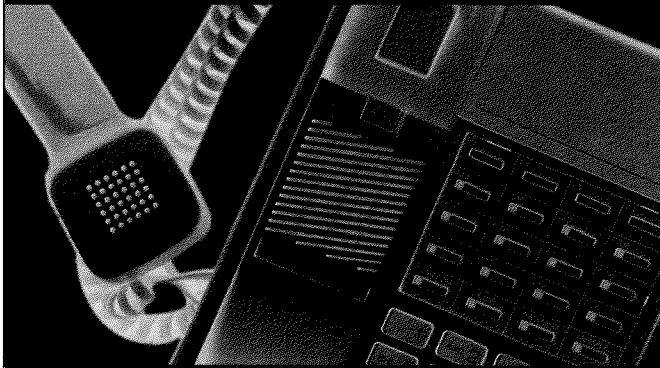
Cost of Government Day: June 25, 1998
Americans for Tax Reform calculates the "cost of government day"—the day the average American paid off the cost of government's taxes and regulations.

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Request documents #8082405 (part 1, 15 pp.)
and #8082405 (part 2, 12 pp.)

Rank/State	1987 Federal Expenditures per dollar of taxes	1997 Federal Expenditures per dollar of taxes	Rank/State	1987 Federal Expenditures per dollar of taxes	1997 Federal Expenditures per dollar of taxes
1 New Mexico	2.03	1.89	27 North Carolina	0.92	1.02
2 North Dakota	1.73	1.62	28 Utah	1.47	1.01
3 West Virginia	1.24	1.61	29 Vermont	0.88	1.00
4 Mississippi	1.69	1.58	30 Kansas	1.12	0.99
5 Montana	1.44	1.48	31 Georgia	1.02	0.99
6 Virginia	1.50	1.48	32 Washington	1.12	0.97
7 Hawaii	1.35	1.46	33 Texas	0.93	0.97
8 Alaska	1.29	1.41	34 Nebraska	1.15	0.97
9 Oklahoma	1.19	1.39	35 California	0.95	0.93
10 Maine	1.20	1.38	36 Oregon	0.95	0.92
11 Alabama	1.39	1.37	37 Ohio	0.91	0.92
12 Louisiana	1.13	1.36	38 Colorado	1.14	0.91
13 Kentucky	1.14	1.36	39 Massachusetts	1.01	0.91
14 South Dakota	1.58	1.33	40 Indiana	0.91	0.90
15 Arkansas	1.38	1.32	41 New Jersey	0.62	0.89
16 Maryland	1.26	1.30	42 New York	0.84	0.86
17 Missouri	1.33	1.23	43 Delaware	0.77	0.82
18 South Carolina	1.22	1.22	44 Minnesota	0.92	0.77
19 Idaho	1.37	1.15	45 Michigan	0.74	0.76
20 Tennessee	1.15	1.14	46 Illinois	0.72	0.73
21 Wyoming	1.09	1.13	47 New Hampshire	0.71	0.73
22 Rhode Island	0.97	1.13	48 Nevada	0.92	0.73
23 Arizona	1.23	1.08	49 Connecticut	0.81	0.67
24 Florida	0.99	1.06	50 Wisconsin	0.83	0.61
25 Iowa	1.11	1.06	Dist. of Columbia	5.28	6.17
26 Pennsylvania	0.95	1.03			

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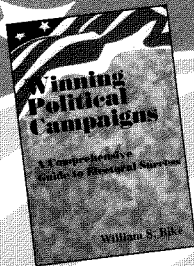
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Welfare

Robert Rector and Sarah Yousseff

Robert Rector is a policy analyst and Sarah Yousseff is a research assistant at The Heritage Foundation.

Since the beginning of the War on Poverty under Lyndon Johnson, American taxpayers have spent \$7 trillion combatting poverty. This amounts to some \$70,000 for each taxpaying household in the US. But this enormous expenditure has been accompanied by dramatic increases in illegitimacy, dependence, crime, drug use, and most other social ills.

Welfare dependence, in particular, has strong negative effects on children. Being on welfare reduces a child's IQ, increases the

Success in reducing welfare dependence has varied greatly among the states.

probability of failure in school, and decreases earnings in adulthood. Recognizing the harmful effects of dependence, Congress set a clear goal of reducing welfare caseloads in the Welfare Reform Act of 1996.

Over the last two years caseloads in the AFDC program have fallen 29.7 percent nationwide. But success in reducing welfare dependence has varied greatly among the states. Caseload reduction ranged from a 79 percent decrease in Wisconsin and Idaho to only 2.8 percent in Nebraska. In Hawaii, the welfare caseload actually increased by 7.2 percent.

Success in reducing dependence lies in the strength of the reform program of a given state, rather than the health of its economy. There are four keys to successful reform:

- Reduce unnecessary new entries into the welfare system.
- Have a high percentage of recipients engaged in closely supervised activities.
- Have strong sanctions if the recipient fails to perform the required activity.
- Emphasize work over classroom training.

States that institute these strong reforms can expect their caseloads to fall at least 2 percent each month. Even states that have already greatly reduced their caseloads can readily achieve further reduction. In Wisconsin, for example, the pace of dependency reduction has actually increased as the welfare rolls shrink.

State Success in Welfare Reform



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Lessons from the States

Successful welfare reform requires political support and proper incentives. (National Center for Policy Analysis, Policy Backgrounder, December 1997, 23 pp.)

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Request documents #9236404 (part 1, 11 pp) and #9236405 (part 2, 12pp)

Reduction in AFDC Caseload in the States and DC

(Rank by Change in Caseload) March 1996 - March 1998

State	Percent change in caseload	Rank	Reform Success	State	Percent change in caseload	Rank	Reform Success
Alabama	-43.7%	9	Highly Successful	Nevada	-33.4%	26	Below Average
Alaska	-16.8%	46	Poor	New Hampshire	-35.3%	22	Above Average
Arizona	-37.7%	16	Above Average	New Jersey	-25.2%	36	Below Average
Arkansas	-40.0%	13	Above Average	New Mexico	-35.4%	21	Above Average
California	-21.1%	42	Poor	New York	-22.1%	40	Poor
Colorado	-42.8%	10	Highly Successful	North Carolina	-35.1%	24	Above Average
Connecticut	-16.2%	47	Poor	North Dakota	-33.6%	25	Above Average
Delaware	-36.0%	20	Average	Ohio	-32.0%	28	Below Average
District of Columbia	-17.2%	45	Poor	Oklahoma	-37.1%	17	Above Average
Florida	-47.8%	6	Highly Successful	Oregon	-44.7%	8	Highly Successful
Georgia	-39.3%	15	Above Average	Pennsylvania	-28.7%	31	Below Average
Hawaii	+7.2%	51	Poor	Rhode Island	-9.2%	49	Poor
Idaho	-79.4%	2	Highly Successful	South Carolina	-41.4%	12	Highly Successful
Illinois	-21.9%	41	Poor	South Dakota	-36.4%	19	Above Average
Indiana	-31.3%	29	Below Average	Tennessee	-36.6%	18	Above Average
Iowa	-23.2%	38	Below Average	Texas	-42.8%	11	Highly Successful
Kansas	-47.0%	7	Highly Successful	Utah	-26.7%	33	Below Average
Kentucky	-25.7%	35	Below Average	Vermont	-17.7%	44	Poor
Louisiana	-32.1%	27	Below Average	Virginia	-35.1%	23	Above Average
Maine	-24.0%	37	Below Average	Washington	-20.4%	43	Poor
Maryland	-28.1%	32	Below Average	West Virginia	-55.6%	4	Highly Successful
Massachusetts	-22.9%	39	Poor	Wisconsin	-79.6%	1	Highly Successful
Michigan	-29.3%	30	Below Average	Wyoming	-73.1%	3	Highly Successful
Minnesota	-14.0%	48	Poor	US Total	-29.7%		
Mississippi	-50.7%	5	Highly Successful				
Missouri	-26.3%	34	Below Average				
Montana	-39.7%	14	Above Average				
Nebraska	-2.8%	50	Poor				

Source: US Department of Health and Human Services

Private Schools Better Promote Civic Values

Jay P. Greene

Most Americans accept the notion of using public funds to support education, not only to promote academic achievement, but also to promote the values we desire in citizens of a democratic country. We expect schools to advance racial integration, tolerance, and a certain amount of public-spiritedness, for example.

In the past, it generally has been assumed that such goals could be served only by providing public funds for children to be educated in government-operated schools. Whatever the academic merits of private schools, many people imagine them to be bastions of racial segregation, intolerance, and an abandonment of public-spiritedness. Public schools, because they are run by the government, are thought to serve public interests while private schools, because they are run by private organizations, are thought to serve private interests.

But private schools are not what we imagine them to be. According to the National Education Longitudinal Study (NELS), sponsored by the US Department of Education, private schools are actually better integrated racially, better promote racial tolerance, and better foster public-spiritedness than public schools.

In 1992, NELLS surveyed a representative sample of 12th grade students, as well as their teachers, parents, and school administrators. While the surveys did not focus on questions of civic values, information was collected that showed how wrong common impressions of values in public and private schools really are.

For example, teachers were asked to report the number of students, and the number of minority students, in their classes. On average, teachers reported 25.6 percent of their students were minorities.

If we consider "well-integrated" a classroom that is within 10 percent of that national average, the NELLS survey reports that 36.6 percent of private school students are in well-integrated classrooms, while only 18.3 percent of public school students are in classrooms that can be considered well-integrated. In addition, over half (54.5 percent) of public school students are in highly segregated classrooms—those with more than 90 percent or less than 10 percent minority students. Only 41.1 percent of private school students are in similarly segregated classrooms.

Private schools not only offer greater racial integration in their classrooms, but they also produce greater racial tolerance among the students they mix.

NELS asked students whether they agreed with the statement that students at their school made friends with students from other racial and ethnic backgrounds. About one-third—31.2 percent—of private school students strongly agreed with that statement. Only 17.6 percent of pub-

lic school students strongly agreed that students at their school made cross-racial friendships.

When asked to agree or disagree with the statement that fights often occur between racial groups, 64.3 percent of private school students strongly disagreed. Only 28.6 percent of public school students strongly disagreed. The responses given by teachers and school administrators at public and private schools similarly support the conclusion that private schools produce more positive race relations.

But are private schools filled with elitist snobs who are uninterested in helping their communities, as we sometimes imagine them to be? Again, the information collected by NELLS paints a very different picture. Private school students are more likely to report that they have volunteered in the past two years, more likely to volunteer often, more likely to report that it is very important to volunteer, and more likely to report that it is important to help others in the community. The greater commitment to public-spiritedness displayed by private school students is not reduced by controlling for socioeconomic factors that may be related to volunteering behavior.

In short, the evidence from NELLS suggests that private schools are significantly better than public schools at promoting desired civic values. Advancing public goals, like integration, tolerance, and a commitment to community, does not require the direct operation of schools by the government. In fact, the evidence suggests that private individuals, left to their own devices, are more successful at achieving those public goals than is the government.

With the Wisconsin Supreme Court's recent decision in support of school choice, and court battles underway in Ohio, Vermont, and Maine, the role of private schools in the country's education system is an increasingly important issue. It is time to stop portraying those schools as if they were all Exeter and Choate, and to begin an honest examination of how public monies can best be used to advance public goals. School choice may not only improve academic performance, particularly in underperforming big-city school districts, but it is likely to promote desired civic values as well.



Jay P. Greene is Assistant Professor of Government at the University of Texas at Austin. This essay summarizes material presented in his new book, *Learning from School Choice* (Brookings Institution, 1998).



EPA and the GLI: Junk Science at Work

by Daniel W. Smith Ph.D.

On August 21, The Heartland Institute released *Heartland Policy Study #86, "Is External Review of EPA Policies Warranted? The GLI as a Case Study,"* by Dr. Daniel W. Smith. The 41-page report is available from The Heartland Institute for \$10. It is also available on the World Wide Web at <http://www.heartland.org>.

Daniel W. Smith is senior limnologist for the Exton, Pennsylvania office of Conestoga-Rovers & Associates, a worldwide engineering, environmental, and construction services firm headquartered in Waterloo, Ontario. He is eager to hear your comments on this summary of his work; send email to dsmith@phi.rovers.com.



In 1995, the Environmental Protection Agency (EPA) issued its Great Lakes Initiative, increasing the stringency of pollution controls across the Great Lakes basin. Touted by proponents as a cost-effective regulation, the GLI in fact will produce few, if any, human health or economic benefits. A careful review of EPA's own GLI Benefits Analysis suggests the initiative might avert one cancer over the next 6,000 years or so. The initiative is likely to produce less than \$5.00 of benefits for each \$1 million spent.

1. EPA's Great Lakes Initiative will produce a likely benefit of less than \$5.00 for every \$1 million spent by industry and taxpayers.

In 1995, the Environmental Protection Agency issued the Great Lakes Initiative (GLI), a controversial rule requiring manufacturers and municipalities in the Great Lakes Basin (Indiana, Illinois, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin) to spend between \$80 million and \$380 million every year to reduce point-source emissions of certain chemicals into the lakes.

GLI proponents boasted of EPA's use of cost-benefit analysis throughout the GLI's development. A highly favorable cost-benefit analysis was presented with the rule. Closer examination reveals, however, that the GLI Benefits Analysis was based on a number of incorrect, unlikely, and even impossible assumptions that dramatically inflated predicted benefits. The GLI's positive impact on human health and the economy is exaggerated by EPA's Benefits Analysis by 3000-fold or more.

While the Benefits Analysis estimated between 25 and 47 cancers would be averted over 70 years for Great Lakes fish consumers, more likely between 0.008 and 0.015 cancer deaths would be averted over that period. At most, one cancer death is likely to be averted over the next 6,000 years or so. Correcting for errors in the Benefits Analysis suggests that each \$1 million invested in the GLI will produce a likely benefit of less than \$5.00: a cost-benefit ratio of 185,000 to 1.

The GLI might avert one cancer over the next 6,000 years or so. It is likely to produce less than \$5.00 of benefits for each \$1 million spent.

2. EPA systematically overestimated the GLI's benefits across the entire Great Lakes watershed.

EPA predicted the GLI would reduce cancer mortality by reducing chemical concentrations in Great Lakes fish. The agency made several errors when calculating this estimate. Taken together, the errors result in a minimum error of over 312,000 percent.

- *Fish consumption rate.* EPA assumed Lake Michigan anglers would consume roughly 6,785,000 kg of fish per year. According to data compiled by the Department of Interior, however, Lake Michigan recreational anglers actually catch only enough to supply about 2,200,000 kg of cooked fish per year.

- *Current fish concentrations of chemicals.* To estimate chemical concentrations in the average fish, EPA relied almost entirely upon concentrations in lake trout—an unusually contaminated fish at the top of the food chain. In fact, lake trout can have 20 times or more the concentrations of chemicals found in other species of recreationally caught fish.

- *Percentage point-source contribution to total loading.* To estimate point-source loading into the Great Lakes of a group of organochlorine chemicals, including DDT, EPA looked at point-source loading for a group of dissimilar metals. A far better indicator of chemical point-source loading is DDT. Point sources contribute roughly 0.8 percent of DDT loading to the Great Lakes, substantially less than EPA's estimate of 5 to 10 percent.

- *Expected decrease in loading with GLI.* EPA assumed chemical concentrations in fish would respond linearly to decreases in pollution loading, ignoring the fact that river and lake sediments and the water column act as long-lived reservoirs for chemicals. Chemical concentrations currently measured in fish most likely have not yet caught up with past reductions in loading and are falling even without the GLI.

- *EPA cancer slope factor.* EPA's use of cancer slope factors (CSFs) as indicators of most likely events is invalid. CSFs include a number of conservative assumptions, and EPA acknowledges that they are "not predictive of cancer incidence." CSFs rely on a scaling factor (which translates laboratory animal doses to human doses) that EPA itself no longer recommends as valid. CSFs are based on the upper 95 percent confidence interval of the slope, rather than the most likely slope; the latter is a more accurate predictor of most likely events. CSFs also ignore data suggesting that chemicals are not carcinogenic at low doses.

3. Similar errors were made in EPA's analysis of the Green Bay subwatershed.

EPA has responded to criticism of its whole watershed Benefits Analysis by contending that its subwatershed analyses were accurate and more relevant to the question of the GLI's cost-effectiveness. In fact, however, the subwatershed analyses—typified by the analysis conducted for the Green Bay subwatershed—are also plagued by obvious and repetitive errors. Most problematic, EPA's subwatershed benefits analysis relied heavily on an estimated loading value for PCBs that 1) greatly

exaggerated benefits and 2) was widely known to be untrue, based on EPA's own research.

When all of the errors are corrected, the Green Bay subwatershed results are little different from those for the whole watershed: point sources are found to contribute 1 percent or less of total PCB loading, and implementation of the GLI will cause no reduction in the loading of problematic chemicals.

Based on its projected reductions in point-source loading of chemicals into the Green Bay subwatershed, EPA estimated five different types of benefits that GLI implementation would bring to the Green Bay subwatershed. (See summary table.) Those benefits are listed below, along with the agency's low and high values for "benefits likely to occur" following adoption of the GLI. Also identified in the table are the more likely estimates of benefits, after EPA's analyses are corrected for errors.

- *Reduction in cancers.* As with the whole watershed analysis, EPA's calculation of cancer reduction for the Green Bay subwatershed suffers from multiple errors: a 3-fold overestimation of fish consumption; a 10-fold overestimation of chemical concentrations in fish; a 32-fold error for using the worst-case cancer slope factor to predict most likely events; and a 19- to 38.5-fold error associated with incorrect predictions of loading reductions. EPA's estimate that 8.7 to 17.4 cancers will likely be averted over the next 70 years by implementation of the GLI is 18,000 to 37,000 times too high.

Correcting the errors produces a more likely, but still optimistic, estimate that 0.00047 cancers would be avoided over the next 70 years in the Green Bay subwatershed. At that rate, one cancer can be expected to be avoided sometime by the year 150,000, give or take a few millennia.

- *Estimated value of the Green Bay fishery.* EPA estimated the improvable fishery in the Green Bay subwatershed was worth, at most, \$11 million per year: \$1.9 million for the yellow perch fishery and \$9.1 million for the salmonid fishery. After removing the unjustified yellow perch value and correcting errors in overestimating the salmonid fishery, a best estimate of the worth of the improvable portion of the Green Bay recreational fishery is about \$1.1 million per year. Consequently, the analysis for this benefit began with a 10-fold (1,000 percent) error.

Moreover, anglers can value the fishery more highly only if they can perceive a reduction in chemical concentrations. Even a 1 per-

cent decrease in PCB concentrations—an optimistic projection about one-tenth of the value assumed by EPA—would never be noticed under current sampling methods.

Error-ridden and biased analyses such as those developed to support the GLI only lend substance to accusations that EPA twists the science and data to fit politically driven policies.

4. Rigorous, truly independent cost-benefit analysis is needed to avoid the errors that plague the GLI Benefits Analysis.

The benefits analyses for both the whole watershed and the Green Bay subwatershed are beset by repetitive, serious errors. In addition to their magnitude, which is daunting, the nature of the errors is disturbing. They show evidence of a systematic bias that consistently over estimates benefits.

As regulations become more costly and controversial, we need an EPA with a reputation for competence, veracity, and common sense. Error-ridden and biased analyses such as those developed to support the GLI only

lend substance to accusations that the agency twists the science and data to fit politically driven policies and squanders society's resources on minor ecosystem threats.

The best way to promote cooperation and creative problem-solving is to have policies that are scientifically defensible and demonstrably sensible. The problem with current cost-benefits analyses is that they are conducted by EPA, and the agency has complete control over the review process. Rigorous, truly independent cost-benefit analysis offers the most promising solution.



Based on *Heartland Policy Study #86, "Is External Review of EPA Policies Warranted? The GLI as a Case Study,"* by Daniel W. Smith Ph.D. Copies are available from the Heartland Institute for \$10.00 each.

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Benefits of the GLI for the Fox River-Green Bay Subwatershed

Benefit Type	EPA's Low Estimate	EPA's High Estimate	Corrected Estimate
Human Health – Averted Cancers	\$250,000	\$2,480,000	about \$0
Increased Value of Recreational Fishery	\$27,000	\$3,848,000	\$0
Commercial Fishery (lifting of PCB advisory)	\$19,000	\$120,000	about \$0
Non-Use Values	\$32,000	\$1,924,000	\$0
Non-Consumptive Recreation	\$22,000	\$173,000	\$0
Total Estimated Benefits	\$350,000	\$8,545,000	about \$0

Once-Proud Public Education System Under Attack

by Aldo S. Bernardo Ph.D.

We are now better than half-way through the most radical reform of America's schools this country has ever seen. Unlike the health care reform attempted early in the Clinton Administration, this one has been kept underground so well that few parents are even aware of it. And yet very few school districts or classrooms have remained untouched by it.

The "reform" is more properly seen as the emasculation of the American education system. The rigor, discipline, dedication, and persistence associated through the centuries with real learning are fast disappearing.

In 1983, when our test scores showed US students falling seriously behind their counterparts in other countries, our President, along with the nation's governors, decided something had to be done quickly. A report, titled *A Nation at Risk*, was prepared by a presidential commission. Congress quickly passed a series of bills to provide the needed funding for reforms.

By the time Bill Clinton assumed office, the movement had begun to resemble a bulldozer. The legislation that had proceeded from Reagan and Bush to the Clinton Administration changed dramatically. Under President Bush, the key legislation was known as America 2000. In 1994, President Clinton re-approved the legislation, with a number of changes, and it became known as Goals 2000: Educate America Act, bearing the subtitle "A Strategy for Reinventing Our Schools" (emphasis mine).

Other legislation quickly followed, addressing the needs of the disadvantaged and providing students with health, psychological, social, and technical services. The plan is to accomplish total reform by the end of Clinton's term in the year 2000. Big government is moving in on education.

This movement has radically changed the basic thrust of the educational process. Instead of teaching basic academic knowledge, education's primary purpose has become to instill in children an attitude toward learning that de-emphasizes facts and knowledge, emphasizing instead politically correct social, psychological, and global thinking.

The traditional approach to education, which stressed academically rich content, is at war with this "new paradigm," which stresses social growth, sensitivity, feelings, emotions, values, behavior, the fostering of self-esteem, and attitudes toward life and learning that will lead to "self-directed" learners who are creative and productive.

The new movement too closely resembles a sinking ship, or perhaps a train wreck in slow motion. As it approaches the inevitable crash, it

takes on more cargo and passengers. A recent important addition to the movement is School-to-Work, whereby students are forced to think about their future careers from kindergarten on. Instigated by business and industry, schools are now devising programs that will provide students with career majors that will somehow come to fruition between the 10th and 12th grade, and lead to a new kind of diploma.

The education reform process is being taken over by such outside forces as big business, big government, and big social agencies. Local citizens, taxpayers, parents, and school boards seem to have been mesmerized by the sheer size of the reform. As they wait and wonder, the situation gets worse. Teachers and administrators are overwhelmed by new demands and mandates. Nearly one-and-a-half million parents have turned to home schooling, concerned for students stuck in a formal education process that has shifted from creating thinkers to training workers, and about a reform whose ultimate aim seems to be the total restructuring of American society.

There is little doubt that the products of this "new paradigm"—the students—are not being exposed to challenging subject matter requiring rigor and discipline. Very few students are capable of analyzing language or math or science problems requiring a solid core of knowledge. Even fewer have command of the important historical or geographical details needed to understand current social or political developments.

In short, mental mastery of knowledge has given way to students becoming observers of knowledge as they work on practical projects that satisfy curiosity and ego and build self-esteem. This so-called "authentic" or "real-life" learning has become the rage of the progressives. They do not recognize the superficiality of such learning, and the emptiness with which the students are left when the fun and games are over.

The traditional academic learning that made this country the leader of the civilized world is being shorn of the rigor, discipline, dedication, perseverance, determination, and power needed to grasp the kind of knowledge that allows us not only to commune with the lowliest and loftiest of creatures, but to be masters of our own destiny.



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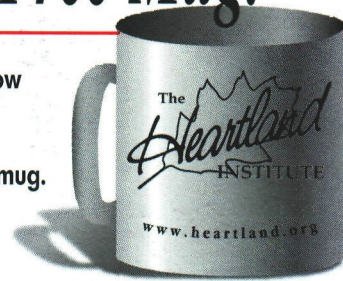
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